

## **Management Plans in perspective of article 6.1 of the Habitats Directive: a common interest binding fishers, ecologists, hunters, port planners and recreationists**

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### **Abstract**

In this paper the development of management plans for estuaries and coasts in NW Europe is explored, based upon experiences with a European co-operation project on Natura 2000 and based on a limited literature study. Management plans become more important, now the European Commission has accepted the list of designated sites for the Atlantic Region (EC, 2004). Based on the review of a number of aspects: conservation objectives, stakeholder consultation and management structure, some of the main experiences with the development of management plans are described. The focus of this paper is particularly on the organisational and managerial aspects of management plans. It does not aim to develop statements that can be generalised for a larger number of management plans, but instead intends to form an impression of relevant experiences in two EU countries, the UK and France, that early-on started with the development of management plans for large aquatic surfaces in terms of the Habitats Directive. A number of observations are described and recommendations for further discussion at European level are presented. Designation issues are not dealt with in-depth in this article, apart from their relevance in relation to the delay of the development of management plans.

Keywords: Habitats Directive; Birds Directive; Natura 2000; Management plans; Coastal zones; Estuaries; Paralia Nature.

### **Introduction: management plans for estuaries in development**

The development of management plans for zones designated as SACs or SPAs under the Birds Directive 79/404 EEC (BD) and the Habitats Directive 92/43 EEC (HD) is not an obligation, but an option according to article 6.1 HD. However, in all larger estuaries in NWE management plans are considered as a solution for integrating various forms of use such as, fishery, maritime transport, agriculture and hunting. Further to this, the European Commission enhances the development of such a plan, when in particular, it includes co-operation of the different stakeholders. The El Teide Declaration of the European Union, made under the Spanish presidency, encourages the involvement of a broad range of stakeholders in the management of protected nature (EC, 2002b).

Management plans for safeguarding protected nature on land are not a new issue of course. However, the initiatives for the rather holistic management plans that aim to integrate management of fishery, port activities, agriculture and recreation with the protection of nature in large estuary systems are fairly unexplored and relatively new. Such management plans are complex, not only due to a broad range of actors that are involved, but also due to the uncertainty about the functioning of the aquatic eco-system, compared to land-based systems. Moreover, coastal zones and particularly estuaries are dense accumulations of intensive economic functions. Therefore, measures regulating and managing functions such as maritime transport and fisheries may be a painful matter for individual stakeholders, what makes stakeholder management a crucial but also difficult factor in the development of a management plan.

This article aims to review some of these developments in France and the UK.

From a series of European workshops on the different aspects of management plans, amongst others in the perspective of the Paralia Nature Project (Poykko *et al.*, 2005; Petersen and Neumann, 2004), the following elements of management plans come out as particularly relevant for their development:

### **Conservation objectives**

The setting of conservation objectives is the first essential step for the development of a management plan. Much discussion is going on here currently in particularly in the Netherlands, Germany and France, as the European Court Decision on the Dutch Shell Fisheries (Case C 127/02) underlined the importance of conservation objectives as a criterion for determining significance of effects. This court decision further sharpened the criterion for conducting an appropriate assessment. Only when it is absolutely sure that there will be no significant effects whatsoever, an appropriate assessment does not need to be carried out – this will rarely be the case however–. Prior to the court decision the criterion for carrying out an appropriate assessment used to be the likeliness of significance effects.

According to the court decision, the conservation objectives should be the main reference points to judge whether an effect is significant or not. When a certain process or action affects a conservation objective of a site, the label 'significant' can be assigned. When the conservation objectives are not affected at all, and also the ecological requirements for a site are not affected, in such a case this effect can be considered as 'not significant'. This places conservation objectives at the centre of the appropriate assessment in terms of article 6.3 HD and makes them an important determinant of the content of a management plan. Although it is strictly not obligatory to set conservation objectives for a site, it is nearly impossible to develop efficient management measures for SACs and SPAs without proper conservation objectives. If they are lacking it is difficult to measure significance or to take proper protective measures as there is no clear reference point. If only the occurrence of certain species or habitats is used as a reference point, any effect will be significant and it will be also difficult to measure the effectiveness of protective measures. Conservation objectives thus are the starting point for the development of a management plan. This is even more so as they determine for a

large part the type of measures that are taken, for example recovery measures vs. conservation measures. Fig. 1 shows they are the central part of the planning operation.

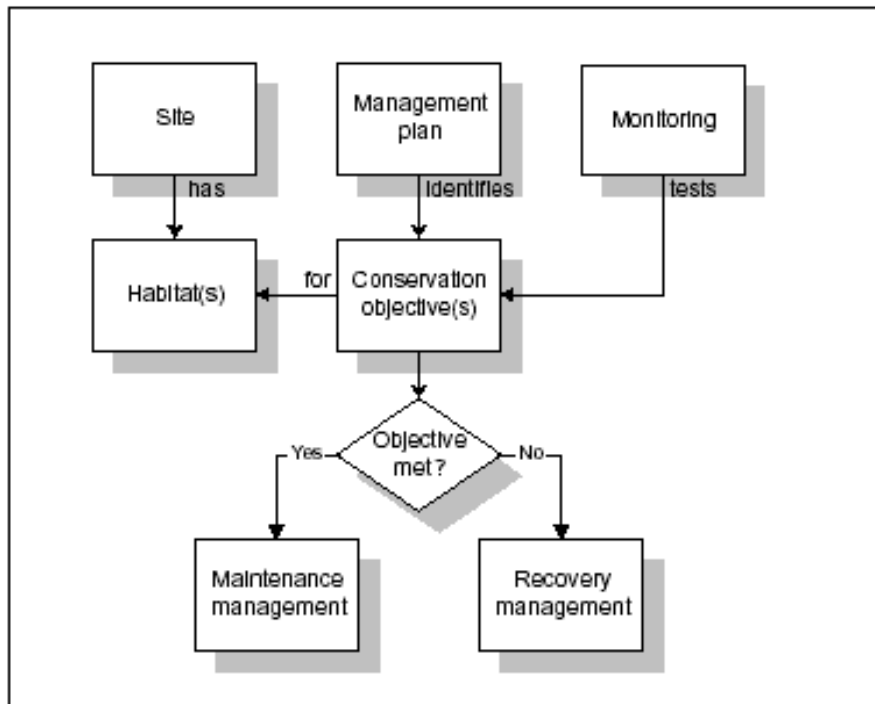


Fig. 1. Positioning conservation objectives (CCW, 2000).

### Stakeholder consultation

One of the next great challenges in the development of a management plan is to have societal support and at least some consensus among the main stakeholders.

Although strictly spoken, the authorities would not have to consult all the stakeholders, keeping the group for stakeholder consultation limited may seem to speed up the process in the beginning but in the end means losing valuable time in legal procedures and delays to societal discussions in the implementation time of measures. This is a risky situation for restoration or infrastructure projects with tight planning as these may be delayed when certain measures cannot be implemented in time (Neumann and Woldendorp, 2003).

In order to prevent conflicts with stakeholders at a later stage it is very important to involve them at an early stage – the basic research and the setting of conservation objectives –. Even if some stakeholders may not agree at all with the management plan this is at least already known in advance, so attention can be paid to their positions and input. Experience European wide is that in any case, the introduction of a Management

Plan makes the issue of designation more tangible and practical, while a misunderstanding of the designation issue can greatly delay the development of management plans (see also Box 1).

***Box 1. Designation discussions – a liability to development of projects and management plans but in another way than commonly thought... (a box that administrators should definitely read prior to taking decisions to dispute – or continue to dispute - designation)***

Commonly thought is that designation would hinder the decision-making regarding port expansion projects, or other types of development projects, and that by designating an area, economic development projects would be slowed down. Such a perspective is seen in several Member States, where there are conflicts between the wishes of the Commission of which areas to designate and which not (European Commission, 12/1/2005).

The contrary however seems to be true: a simple first impression shows that in fact, by disputing designation administrations and decision-makers put a firm brake on any economic development; disputing designation costs years of extra discussion, running obsolete the implementation plans for any project.

Non-designation, while ecological values are in place stops or temporarily hinders much more projects for sure. This leads to long trajectories for litigation, whereby discussion on project interests and their limited time frame, are replaced by discussions on Member State interests and an unlimited time-frame.

A completely different perspective may be helpful in such discussions, namely to introduce a proper scenario of the consequences of non-designation, and to compare that with a scenario of the consequences of designation. The following list of consequences of non-designation may be helpful:

1. Any development project will be stopped or delayed, particularly in BD areas, due to EU court decision of 7 December 2000 Case 734/98: only nature protection can be a motivation for development projects in BD areas that should have been designated, but are unjustly not. In such case article 6 HD cannot apply so that economic grounds cannot be used to decide positively on a project.
2. Still having to carry out an appropriate assessment, even if the area is not designated: moving the border couple 100 of meters doesn't change procedural requirements; also external effects of activities in non-designated sites on designated sites need to be taken into account and can be the reasons for carrying out an appropriate assessment.
3. Lengthy litigation, year's long procedure holding up everything and disturbing development of societal support will start immediately. Factual information shows that when designation discussions are started between various public bodies, this can take for at least three years, which means three years delay for any project or activity planned that needs permission.
4. No management plan can be developed that would allow peaceful co-existence of economic and environmental restoration activities, that would may be solve lengthy discussions about the consequences of designation.
5. Risk of losing societal support for solutions found earlier. Particularly due to designation discussions, earlier found compromises may be rediscussed.
6. Capital loss due to standstill of project development, risk of projects coming too late to meet market demands. In case of disputing designation, business economic planning rhythms that motivate projects are replaced through governmental planning rhythms where political interests are at stake and not project interests.

### **Management structure**

In an EU seminar held in 1996 (EUC, 1997) under the Irish Presidency – also referred to as the Galway seminar – a number of common elements were identified to be relevant as elements in a management plan:

- 1) a policy statement;
- 2) site description;
- 3) a statement of objectives;
- 4) a statement of constraints;
- 5) a list of actions to be implemented, including timing and financial planning;
- 6) a proper consultation process;
- 7) a system for monitoring and evaluation.

These elements were also described in the annex to the guidance manual on Article 6 of the Habitats Directive (European Commission, 2000).

The most common structure seen arising in the UK and France include the institution of a management group that takes decisions and agrees on the planning and selection of measures, upon the basis of conservation objectives set for a site.

The difference notably seems to be the way that there is control over the work of the management group by the competent authorities and the way that conservation objectives are set.

### **Exploration of two initiatives**

From the perspective of the aforementioned three aspects: conservation objectives, stakeholder consultation and management structure, observations regarding the organisational and conceptual approaches towards management plans in the UK and France are discussed, and issues for further discussion at European level identified.

The UK and France are taken as examples as in several European workshops in perspective of the Paralia Nature project (Poykko *et al.*, 2005; Petersen, 2004), as well as from the EU interim report on the Habitats Directive (EUC, 2003) it seems that these Member States have started relatively early-on to systematically explore the development of Management Plans according to article 6.1 HD for large aquatic sites.

### **The development of management plans in the UK**

As one of the Member States where the site protection of the Habitats Directive was early-on transposed into national regulation with the Conservation Regulations (also referred to as Habitats Regulations) in 1994, the UK also started early with the development plans for Estuaries with the Estuaries initiative in 1993 (Morris and Reach, 2005; English Nature, 1993).

### ***Conservation objectives and 'Regulation 33 Advice'***

The conservation objectives for sites are described according to article number 33 of the Habitats regulation in a 'Regulation 33 Advice' from English Nature, the UK agency that is in charge of amongst others, advising other governmental agencies on nature protection issues. A 'regulation 33 advice' includes:

- a description of the site features, the protected values of the site for which it was designated;
- a description of the sub-features of the site;
- the conservation objectives for the site;
- advice how to maintain the favourable condition of the site.

Looking at how the conservation objectives emerge in practice, it can be noted that the kind of objectives formulated for estuaries in the UK are not so much of a quantitative nature but particularly qualitative: they focus on the kind of ecological value to conserve.

An example of a conservation objective for the Stour and Orwell estuaries (in South-West UK):

Subject to natural change, maintain in favourable condition the habitats for the internationally important populations of regulatory occurring Annex 1/ migratory bird species, under the Birds directive, in particular:

- intertidal mudflat;
- salt marsh (Stour and Orwell/Suffolk Coast and Heaths Unit, 2003).

These goals were set by the Management Group of the Estuary at local level, upon advice of the regulation 33 advice of English Nature (Reach, 2005), and also discussed with the Advisory Board, the two groups involved in the development of the Management Scheme.

Also most goals of other management plans for sites in development, *e.g.* the ones of the Twyni/Anglesey coast – a Dune site – or the Gower Commons – wet heaths – and others in development are mostly of a qualitative nature and focus on 'reaching a favourable status of' ... or on 'conserving ...'.

In order to be able to evaluate, in regular management scheme reports, such goals are accompanied by a description of measures and in regular monitoring reports, the effects are evaluated. Although the objectives themselves are of a qualitative nature, their monitoring is particularly quantitative.

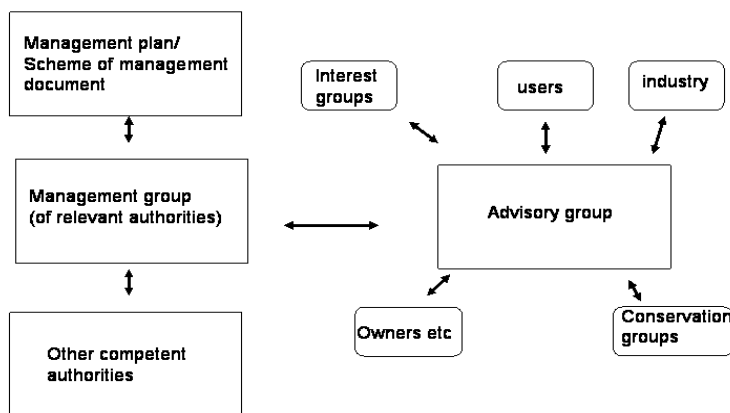
### ***Management structure and stakeholder consultation***

The regulatory basis for the Management Scheme itself can be found in the conservation regulations of 1994, article 33 up to 36. A Management Scheme in principle is voluntary; however the Secretary of State for Environment can ask to initiate the development of a management plan at sites where this was not done before.

The crucial function of the Management Plan (see also Fig. 2 – Morris and Reach, 2005) is carried out by the Management Group that consists of all authorities involved. This is the group that is responsible for the day-to-day-management and that also sets up the conservation objectives. The Management group is composed of:

- 1) Relevant Authorities (authorities exercising managerial, functional tasks in relation to the estuary);
- 2) Competent Authorities (authorities that have a legislative power, *i.e.* the granting of permits);
- 3) NGOs that have interests at the protected sites.

The stakeholders are all operating in the Management Group at the same level, they are not hierarchically organised. There also is the freedom to establish an advisory group, an even wider group of stakeholders that usually meets once yearly.



*Fig. 2. Management plan structure (Morris and Reach, 2005).*

A standard format for Management Plans in the UK and further work-out of the above structure is featured in the UK Marine SACs life project, 'Living with the Sea' (English Nature, 2003). This includes:

1. description of the site;
2. description of legal aspects of site protection;
3. an advice on measures with reference to regulation 33;
4. description of measures;
5. summary of on-going activities on the site (*i.e.* economic activities);

6. a summary of an action plan;
7. description of a scheme for monitoring and evaluation of regulatory compliance;
8. description of monitoring of compliance;
9. appendices:
  - list of relevant authorities
  - glossary
  - information on Bird Species

This standard format matches the format for management plans of the Galway seminar.

Morris and Reach (2005) evaluated some of the initial experiences with the management plans at UK marine sites. They come amongst others to the following conclusions:

- The Management Plan is working as a platform to discuss Natura 2000 management with the authorities and main stakeholders. According to Morris and Reach it has helped a great deal that one of the requirements within the Article 33 regulations for European Marine Sites was that there should be only one management plan for a site, also where overlap with other management plans exists. This has brought more uniformity in the management of areas.
- General organisational aspects of the plan can be crucial for implementing measures and for the actual success of the plan. These aspects relate to the fact that many of the management plan organisations consist of staff of other agencies. This brings management issues with such as *e.g.* often staff assigned to working on the management plan for part of the time, spend time working on other tasks of the mother organisation in the time originally planned for the management plan. In order to be a success for the kind of sites designated in the UK in any case at least one full-time staff needs to be appointed in order to be a success. If the plan only works by all staff working on it as an additional activity, the chance of succeeding is low. Even if there is one appointed staff member this is already quite limited.
- One item being particularly problematic has turned out to be the operation of management plans across administrative borders. Also the UK is organised into regions (Wales, Scotland, etc.), which have administrations of their own, that in the designation process did not always have the opportunity in time to coordinate their designation process due to differences in administrative cycles and planning. This may lead to difficulty where species or habitats run across borders and on the one side are more protected than on the other side.
- In some cases, there were discussions regarding the appropriateness of presumed cause-effect relations. Morris and Reach advise here that in such cases the competent authorities should take actions to firmly clarify such discussions.

One general experience that turned out to be very important for the flexibility of a management plan, is proper systems for an adaptive management, in case situations change, or initiatives are taken for development outside the area that affect plans.



In order to improve the management of Marine sites, it is proposed by Morris and Reach to consider and possibly adapt current schemes, on the basis of past experiences and a more systematic review by a guidance development by IUCN (Pomeroy *et al.*, 2004). Over-all the progress of the action plans of some schemes is found to be slow. Management schemes are supposed to be reviewed each five years.

## **The development of management plans in France**

In France, the Habitats Directive has been transposed through the ordinance 'Natura 2000', number 2001-321 (Official Bulletin of 14/04/2001). This ordinance is worked out in further detail by the interministerial memorandum – circulaire interministérielle – of 3 May 2002, published on 26 September 2002 in the Official Bulletin of the Environment Ministry, No. 02/6.

### ***Methodology for developing conservation objectives***

Conservation objectives for Natura 2000 at the site level are set in the perspective of the 'Document de Objectifs', DOCOB – the conservation objectives document – (Senat, 2004). This approach has been developed since 2000, when France was awarded a LIFE-project on the improvement of management of natural sites (Jensen, 2003). In this project 37 Natura 2000 sites featured as pilot for the development of a management plan, based on the ideas regarding the establishment of a 'conservation objectives document' – Document de Objectifs – in the form of a contract between the central administration, the local authority and the relevant stakeholders and users of the site.

The composing elements of a DOCOB include:

- a diagnosis of the situation the site is in;
- a description of challenges, stakes and objectives;
- a plan of action.

The kind of conservation objectives in these DOCOBs resemble the ones in the UK in that they are mostly qualitative.

The difference is the way the objectives are defined: the conservation objectives are not advised by one authority, but instead are decided upon in discussion by the members of the steering committee, in the end with the approval of the prefect – who considers the compliance with Natura 2000 –. At the national level, the compliance of the collective DOCOBS and plans is overseen by a national 'Natura 2000 Monitoring Committee'.

A good example of conservation objectives of a DOCOB are the ones worked for Port Cros, a small island in the South of France that knows hardly any development, where tourism and fishery is strictly regulated and motorised transportation is not allowed. One of the conservation objectives there is for example:

'To conserve the herbier *Posidonia* and support its development' (Jensen, 2003) or 'To further study and control the presence of exotic species – e.g. the eucalyptus – on the island of Porquerolles (Parc National Port Cros, 2004)'.

These goals for Port Cros were set in the framework of the DOCOB, after deliberation with the main stakeholders of the 'comité de pilotage', also based on a prior diagnosis of the island, that is in a relatively good state but particularly suffering from the effects of tourism and recreational sailing as other parts of the coast in the South of France (Adreani, 2005). The goals are yearly monitored in a quantitative way and reported to the steering committee. The monitoring is carried out by staff of the site.

### *Management structure and stakeholder consultation*

Main elements composing the managerial structure of the DOCOB are as follows:

- The central function exercised by the 'Comité de Pilotage' – the steering committee – that includes the relevant governmental and non-governmental stakeholders related to the site, including four groups:
  - 1) environmental NGOs;
  - 2) user and owners;
  - 3) representatives of the local administration;
  - 4) the prefect, as representative of the national government.

The steering committee is in charge of producing the state of the art of the site, describing the main challenges and proposing an action plan as well as providing a structure for its monitoring and evaluation. This committee also is conducting a regular progress report to the relevant authorities.

- The chairman of the steering committee is initially selected by the local authorities. Upon demand of the local authorities the state can also appoint the chairman of the steering committee. There was much discussion on this point. Upon proposition of the Senat, the prior proposal that left the choice of the chairman partly to the central government, was amended to let the authority for this choice lie at the local level, more in line with the policy to decentralise. Now it is up to the local level to choose a chairman for the steering committee or to ask the state to make this choice. The DOCOBs are meant to allow more freedom for the regional level, although there is still control exercised by the prefect.
- The third important element is the role of the prefect and the central state. Ultimately, the prefect has to approve and sign the DOCOB. Furthermore he is also responsible to check whether the measures taken in the DOCOB are sufficient to meet the Natura 2000 requirements. The DOCOBs are evaluated each six years by the prefect to check conformity with the directive. Also the prefect can take action if it is signalled that the measures implemented are not sufficient or that the situation of the site is deteriorating.

The plans are meant to be evaluated regularly, but at least each six years by the Prefect, who has to approve the evaluation report.

### ***Initial experiences***

The experiences so far with the development of DOCOBs have in any case been positive, in that fears of a designation to lead to a zone where no activity can take place at all are unfounded; the discussion about the different DOCOBs have led to a better understanding about designation at local level (Palos and Bertrand, 2004).

According to Palos and Bertrand, who carried out a preliminary assessment of the DOCOB and of water management plans in France, the DOCOB has structured the involvement of a broad range of stakeholders. A difficulty Palos and Bertrand found in the development of the DOCOB and the designation of sites is the countervailing interests of the 'ecological arena' of NGOs and the administration responsible for the environment on one hand and the 'rural and local groups' in charge of managing agriculture on the other hand.

In addition to the development of the DOCOB there was much discussion between the local and central administration regarding their roles in the steering committee. In the current structure, much authority is left to the local level. However, a strong role of the prefect remains, particularly regarding the control of compliance with European regulations.

In some conflicting cases the DOCOB according to Palos and Bertrand have however created much clarity about the meaning and practical implications of Natura 2000, easing some of the designation discussions.

An example of interest is the earlier mentioned management plan for the protection of Port Cros, a small SCI and SAC in front of the coast of Hyères in the south of France. Particularly the close co-operation of the different parties at Port Cros has led to better understanding among the different stakeholders, allowing even to take measures for some stakeholders to temporarily cease activities in number of areas. An interesting experience was that small scale companies fishing around the island, came over time to the insight that the regular closing of areas for all fisheries turned out to be beneficial for their harvest and its quality in the long run (Jensen, 2003).

There is still some way to go with the implementation of the DOCOBs as for many of the DOCOBs, an official approval has not been granted yet. The Prefect can only approve the DOCOB formally if the designation process has been completed. This administrative process sometimes delays the implementation of measures. Meanwhile however the initiatives for the DOCOB in the country, in particular also in the South and South-East have started extensive discussions on how to better regulate activities for tourism and industrial activities at protected sites.

### **Some illustrative examples of management plans in development and some relevant outcomes of the Paralia Workshops**

Apart from activities in France and the UK, of course also efforts are on-going in other Member States. One of particular interest is PROSES 2010. This is an initiative carried out by an organisation especially created by two Member States, the Netherlands and

Belgium/Flanders, for a special purpose. With PROSES the first steps have been made to develop a common managerial approach towards the Scheldt Estuary shared between the Netherlands and Flanders. The initiative for this plan is now being worked out further and waiting on the setting of conservation objectives, that will be set at each side individually, also because the designations have been a Member State issue on both sides. At the Dutch side the conservation objectives will be set by the Ministry of Agriculture, at the Flemish side by the Nature Protection Department of the Ministry of the Flemish Community.

The PROSES approach (PROSES, 2005) right away shows what may be a difficulty for other Management Plans in border areas as well: the co-ordination of the protection of sites in border zones where the same species and habitats are protected, while there are different protection regimes, due to Member State individual characteristics. The way the EU functions in this case is that the Member State is the designating entity, so that it can happen that in border zones, different goals, borders, measures are set, even when they concern the same biological biotope. Such situations are not always beneficial for Natura 2000 that notably has a goal to ensure a European system and tight network for the protection of Nature.

Informally, at Paralia Workshops the European Commission has mentioned that it is up to the Member States to initiate co-operation in such cases. In the case of Flanders and the Netherlands this has worked quite well with PROSES. Both sides are very satisfied with it. There may also be cases, where this has worked less well, or where one Member State does not agree with another one on the goals or measures to protect species. In such cases, there are no or only formal instruments for an individual Member State to take action, other than informal initiatives. In case one Member State would wait too long to take action, creating a disadvantage for a protected site in a Member State that has reacted faster, there are little instruments available for the latter to make the first take action. This issue, also recognized by Morris and Reach, would be useful to discuss further on some of the EU expert groups, *e.g.* the one on conservation objectives. That would be increasingly relevant, as many of the countries in NWE and also the new Member States are currently setting up their structures and debating on measures for Natura 2000 sites, and there are many bordering sites.

One other issue which turned to be relevant from the various Paralia Workshops is the issue of stakeholder involvement and management. In projects, where this is done badly, or in a very limited way, in the end there are many formal procedures and much litigation as parties not involved turn to more formal modes of interaction. In projects, where much attention is given to stakeholder management, of course still also legal procedures can arise, but the chance is minimised and usually any procedural damage is repairable.

## **Conclusions and recommendations**

This limited review shows that considerable development both in France and the UK has taken place regarding the development of management plans focussed on integrating

nature protection and the management of other activities as *e.g.* maritime transport and fisheries. From this review the following can be concluded:

- In all developments stakeholder willingness and their early involvement and an early setting of conservation objectives are essential in coming to management plans. From the UK experience amongst others it has showed that one relatively simple element is very important: having fixed staff working full time is a must for a truly operating management plan. Furthermore, the UK experience shows it is useful for Marine sites to start from the principle that there is only one management plan for a site.
- The French experience shows that instituting a contractual system is very useful in order to shed the light on what designation exactly means for the stakeholders involved. This can be particularly helpful in cases where designation is not properly understood or in cases where it is thought that designation means standstill.
- For both the UK and France it shows that the structural development of management plans for Natura 2000 sites is very useful in order to be able to create structure to efficiently manage and take decisions regarding the sites and involve stakeholders. Without the presence of the differently created advisory and working groups, the involvement of for example NGOs and other groups would need each time the creation of temporary structures in case conflicts or discussions arise. In case well worked out Management Plans are not present, local and national administrations would continuously run from one to other incident while the presence of a Management Plan systemises the information queries and stakeholder management necessary for running the proper and efficient procedures and societal processes.
- Over-all looking at how Management Plans are discussed in literature and documentation, so far it seems little attention has been given to actual organisational aspects and processes – in contrast to the legal aspects –, while that is just what keeps the schemes running. It seems this aspect deserves more attention as also mentioned by the European Commission in her progress report on the implementation of the BD and HD (EUC, 2003). Particularly such attention could be also very beneficial to learn from for New Member States, who in some cases, are in the process of designating considerable marine sites? *e.g.* Poland (EC, 2003). Also some of the existing Member States as Portugal, Spain, Greece and Finland have designated considerable Marine Sites and could perhaps learn from the long-term experiences in the UK and France. Particularly for the new states such learning is useful, as they are suffering from drawbacks due to the large capacity that is required to adapt to all new EU legislation. Knowing more about how to efficiently set up management plans could help them greatly in the management of these sites and also limit the number of infringement procedures.
- A topic very relevant for the New Members states – as well as for the old ones – is the issue of cross-border management of coastal zone sites. This is a question playing in fact at two levels: between Member States, but also between regions or states within federally organised states – where the designation process is done by regional governments –. A better mechanism should be found for such cases, as their frequency will increase with the new states that have joined. The case of the Scheldt River is

definitely not unique in this case, as there are also other estuaries that are divided by bordering states. For example the Oder River that separates Germany and Poland, with the port of Szczecin on one side. Also here the issue of cross-border management of sites becomes important (Bundesministerium für Bildung und Wissenschaft, 2005). All Member States and regions dealing with this issue could benefit from the identification of a mechanism or guidance – or even prototype example – of how to proceed in such cases in an efficient way.

Finally, regarding the concept of Natura 2000, one can wonder whether the adjective ‘2000’ is still applicable. Maybe European institutions and actors/stakeholders should think also of a Natura 2010 or 2020 – particularly considering some states only became member after 2000?

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